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In this address the U.S. Commissioner of Education discusses the changing nature of the relationship of Federal, State , and local governments to education. He states that the increasing tendency of mayors, governors, and school superintendents to rely heavily on the Federal government for solutions to educational problems should be reversed. The Federal Government's role in helping the states is to provide additional resources for equal educational opportunities for the poor to absorb much of the cost of educational change, and to aid the states in planning for and administering programs to achieve these purposes. However, the state and local governments are still expected to increase their support for education and to maintain educational standards. Too many bond issues and school tax levies for teachers' salaries and school facilities have already been defeated because it has been assumed that the Federal Government will bear these costs. In addition, states have not given sufficient support to cities, who need more state aid as their educational problems grow and as the tax base diminishes. To provide educational equality for all children, a state should allocate funds on the basis of need rather than property values. (NH)

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
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EQUITY AND STATES' RIGHTS*

An Address by Harold Howe II
U.S. Commissioner of Education
Department of Health, Education, and Welfare

When historians assess the development of education during the 1960's, the names of two Oregonians will be prominent among those which stand with that of President Johnson as the architects of an unparalleled array of significant new Federal policies in support of schools, colleges, and students: I refer, of course, to Congresswoman Edith Green and Senator Wayne Morse.

The historians may point out that Congresswoman Green and Senator Morse did not always agree with each other and that they did not always agree with the President. But the perspectives of time will show that any such disagreements did not bring with them barriers to great, positive achievement. That one State should produce in the Congress of the United States such a significant proportion of the leadership for constructive moves in education is extraordinary.

Similarly, such fine leadership for education has been exerted within your State that Oregon is a place where a Commissioner of Education might better listen than talk. But since talking is what you have invited me to do, let me offer some thoughts on a relationship which commands our attention in large part because of the work of Mrs. Green and Senator Morse during the past ten years--the relationship of the Federal government, the States, and local school districts in support of elementary and secondary education in the United States.

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Some people see that relationship through the doctrine of States' rights. But I would argue that the idea of State responsibility is more meaningful and more positive. In his book Storm Over the States, Terry Sanford--the education-minded governor of North Carolina from 1961 to 1965--sums up the situation in the following language:

> The authentic doctrine of States' rights, supported by a commitment to States' responsibilities, has often been misused. Some men dodge behind the banner of States' rights to avoid controversial issues; others use it to camouflage their opposition to all government; still others cloak injustice in its folds. "States' rights" is a tattered ensign, ripped and torn by those who seek to rally support for their own selfish ends. They have undermined the States' rights they seek, and are a greater hindrance to the States they claim to save than any other hurdle on the road back to more responsible and responsive State government.

As Governor Sanford points out elsewhere in his book, the fact is that the capacity of the States to respond to the needs of their people and to accept the responsibility which should be theirs has been eroded by major changes in our economy and society.

Even our disagreements are couched in new terms. The old contest between agrarian States and industrialized States, each pressing a growing national government for its special interests, has diminished with the spread of industrialization to every section of the Nation. The special interests of city dwellers, suburbanites, and rural people--finding no resolution in State governments ill-equipped to deal with them--reach to Washington. In doing so, these interests join forces across State lines, leaving the States impotent to address the major issues of a mobile, industrialized, expanding population, which is increasingly concentrated in metropolitan centers.

These are powerful forces of change, challenging the States in a fundamental way. They threaten the further erosion of State initiative, and though some may imagine that this would be no loss as long as the other two levels of government work, it is doubtful that local and national governments can work if the States lose their political effectiveness. Federalism is not simply an interesting theory or a historical bequest to be treasured for sentimental reasons. It is a mode of political collaboration and of political defense, a middleman between home and Nation that hammers out compromises between local interests and national interests, safeguarding the Union from excessive parochialism and protecting the community from an unchecked centralism. And if local governments and the Federal government ever engage in a struggle to fill the power vacuum left by the weakening of State government, I need not spell out for you which will win. Whether he is a Democrat or a Republican, Big Brother will live in the District of Columbia.

If the States are to recapture the citizen loyalties and the sense of responsibility which must animate State government and make it effective, if they are to reassert their role in the Federal scheme of things, they will have to do so with action, not by requiring their school children to take courses in State history. They will have to reassert the responsibilities assigned them by the Constitution and to live up to those responsibilities. There is much evidence that the States are in many cases failing to do so.

Rather than speak from my own observations, I will quote from Senator Joseph Tydings, who became a member of the Maryland Congressional delegation after spending six years in his State legislature. In an article published in Harper's, ominously titled "Last Chance for the States," Senator Tydings said:

> There is no inescapable logic of history or economics which makes elementary or secondary education, air and water pollution, urban renewal, mass transit, housing, medical care for the elderly, or adequate law enforcement the concern of the Federal government. But in the one year I have been in the U.S. Senate, we enacted Federal programs in all these areas. My colleagues and I did not vote for these measures because we coveted more power in Washington. Our constituents were demanding governmental action and the States, for the most part, had failed to act.

That article appeared two years ago, but it sounds even more pertinent and conclusive today than it did then. The tendency of mayors, governors, and city school superintendents to look to Washington has increased, not ebbed.

It is time--it is long past time--for the States to reverse that tendency. And they might very well begin with education.

I hope you will not view your own State's excellent educational performance as any reason for complacency. Neither Oregon nor the State of Washington, which also ranks high in educational achievement, has had to deal with problems of the character or intensity of those that confront some of our other States. It is probable, however, that you will confront these problems in greater degree in the years ahead. Unless you maintain that constant vigilance which is the price of domestic as well as international defense, you will not be ready for them.

There are signs of trouble in many of the States, signs which probably reflect frustration over our current domestic problems--especially in education. These signs are notably observable in the place where the American citizen expresses his feelings most directly--in the voting booth. Looking back over the past 10 years, local citizens across the Nation have approved nearly 73 percent of all bond issues for education. For the first six months of 1967, however, that percentage dropped to 68 percent, and to only 59 percent in the last six months. That's a drop of 10 percentage points for the year, and I understand that on the West Coast the situation looks even worse.

In Oregon, according to Office of Education records, the rate of bond-passage for the 10 years prior to 1967 has been about the same or slightly better than the national average. But last year, of those bond issues we can trace through the national financial press, Oregon voters approved only 40 percent. Oregon schools lost 25 bond-issue elections in 1966, and 24 the year before; and in 1967, 78 Oregon school districts voted down 116 bond requests. Your State used to pay about one-third of the public-school bill. Today the State share is nearer one-fourth.

Why are these numbers significant? They are significant because beneath them lurks the possibility of serious damage to public education in the United States through a misunderstanding of the role of the Federal government in it.

What the Federal government has carved out as its role is the job of helping the States to do their job better by providing additional resources over and above what States and local school districts provide. In general these Federal resources are aimed at three major purposes:

1. To provide equality of educational opportunity for those young people in every State who come from poor families--the children with whom the schools have by and large failed.
2. To absorb a major portion of the costs of constructive change in education so that the schools can better serve a rapidly-changing society and economy.
3. To strengthen the capacity of the States to plan and administer programs which will ensure that the first two things happen.

All of the Federal funds voted by Congress for education are provided with the stipulation that they should not reduce State and local contributions. Quite the contrary, the expectation is that the Federal contribution will lead to even larger State and local support. None of the funds voted by the Congress or proposed by the President in his budget carry the implication that the Federal government should take over from the States and local education agencies the job of supporting the schools. Instead the Federal contribution is an add-on for new, additional, and particular services to accomplish important ends for the Nation as well as for States and localities.

In my view, the increasing number of defeated bond-issues and tax levies, across the country as well as here in Oregon, stems in part from a misreading of what the Federal government is doing about the schools. Seeing stories of multibillion-dollar Federal programs in education, the citizen may heave a sigh of relief and say, "Let Uncle Sam do it," as he votes "no" on a local bond issue. The plain, hard fact is that Federal money is not available for paying the salaries of regular teachers and for building school buildings. These major costs of education are the responsibility of States and localities.

We can speculate about the need for Federal programs to assume the costs of salaries and buildings, and I would be the last to argue against such programs if they can become politically and financially viable. But those are two big "ifs." The National Education Association has suggested a $6 billion program of general aid to the schools. But it has not suggested supporting the taxes which might make that program feasible; nor has it provided any adequate analysis of a system for the distribution of such funds among the States, let alone any realistic appraisal of the political forces which have defeated similar proposals in the Congress for many years. We need to be hard-headed enough to prevent visionary proposals of this kind from hurting our schools now by inadvertently persuading the local taxpayer and the State taxpayer that education is no longer his business. It must always be his business if he wants to maintain our present Federal system rather than drift into a Federalized, centralized system. Moreover, the money for the schools will always come out of his pocket, no matter what agency of government provides it.

Within a Federal system the States have the major responsibility for education, and that responsibility entails fiscal as well as policy obligations. The Federal government has the job of identifying those special, high priority unmet needs which are so pervasive as to constitute a concern for all the citizens of the United States and of assisting the States in finding solutions to those problems.

In view of the current, generalized criticism of our schools, I think it should be emphasized that American public education is in general an outstanding success. A higher proportion of our children go to school than do those of any other Nation, and a higher proportion of them continue their education after high school. The average American boy in fifth grade in 1959-60 had nearly twice as much chance as his father to graduate from high school, two-and-a-half times as much chance to enter college, and he has three times as much chance to earn a bachelor's degree. The fifth grader of 1970 will be even better off.

And yet, it is not enough to say that American education is in general a conspicuous success, because in some particular places in almost every State in the Union, it is a conspicuous failure. It is not enough to say that the States are doing more for education today than they ever have, because in some particular places the schools are being treated very shabbily. It is not enough to say that the States have delegated much of their educational authority to local school boards, because surely no one would suggest that such delegation gives the States license to wash their hands of responsibility for making sure that every school board does its job adequately. It is the responsibility of the State, not of the Federal government, to see that the local privilege of having bad schools is not widely exercised.

And there is this further thing to say: That the flaws in our educational system find their source in all segments of our society, not just among the educators; and the correction of these flaws does not reside solely in calling on educators to work harder and show greater ingenuity or in suggesting that they and their schools be replaced. The job, like the problem, belongs to everyone. The process of strengthening our schools demands more than anything else that we give up the unconstructive laying of blame and instead engage in a greater display of interest and support by every element of our society, including the business community and every level of government.

It is urgent that this support be forthcoming without delay, for many of our schools--a great many of our schools--are unsuccessful. They are in particular unsuccessful with children of the poor and with children of minority groups. Here are a few statistical illustrations of where the trouble in education lies, and of how serious that trouble is:

--Census figures indicate that only one of every 25 children from affluent families is enrolled in a grade below that considered appropriate for his age; among poor children, the figure is more than one of every three.

--Figures from the 1966 Equality of Educational Opportunity Survey indicate that by the 6th grade, Negro youngsters are two years behind whites in mathematics; by 9th grade, that gap has increased to three years, and by 12th grade, to five-and-a-half years.

--The same survey indicates that for both Negroes and whites, a father's education affects the achievement of his children; yet at the 9th-grade level, the son of a Negro college graduate is still not performing as well as the son of a white father who did not complete grammar school.

These and a parade of other statistics might be marshaled to make the same point: that children from poor families and from groups which bear the burden of discrimination start school later, do not stay there as long, and do not learn as much as those from affluent families--and that minority children do not do as well in school as white children.

Most of these youngsters are in the cities, and most cities are being shortchanged on educational aid by their States. In a study of school financing in 35 metropolitan areas for the year 1962, Dr. Seymour Sachs of Syracuse University found that the cities received about $40 less for each student than their suburbs. A more recent study by the Civil Rights Commission found that in seven of twelve major metropolitan areas, States are paying more per pupil to the suburbs than to the core city. I suspect that a study of rural ghettoes would show the same imbalance, and this imbalance adds up to the same point: that the school districts which need help most are getting the least of it from the States.

Because dollars when linked to good ideas can create opportunities in education, we need a total reexamination of the contribution of States to the support of education in our major cities. The President's National Advisory Commission on Civil Disorders in its report issued a week ago emphasizes the disparities which need our attention:

> If the most educated parents with the highest motivated children find in their wisdom that it costs $1,500 per child to educate their children in the suburbs, isn't it logical that it would cost an equal amount to educate the less well-motivated low-income family child in the inner city? Such cost would just about double the budget of the average inner city school system.

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> We urge that every State reexamine its present method of allocating funds to local school districts, not merely to provide equal funds for all political subdivisions on a per-pupil basis but to assure more per-student aid to districts having a high proportion of disadvantaged. Only if equalization formulas take account of the need to spend larger amounts per pupil in schools predominantly populated by disadvantaged students in order to achieve equality of education results with other schools, will equitable allocations of State aid be achieved.

Because State aid formulas are frequently based on the property evaluation behind each child, the cities are presumed to be able to handle a larger share of their education costs. This assumption is invalid for a whole galaxy of reasons. Paramount among them are:

1. All education, not just education of the disadvantaged child, costs more in the city. Building costs, labor costs, land costs, and a host of other costs contribute to this fact.

2. There is a city overburden of costs for such services as welfare, police protection, waste disposal, and the like--costs which depend on the same tax base on which the schools must subsist. The suburbs, with less pressing need for these special services, allocate almost twice the proportion of their budgets to education as do the cities.

3. Because of the deterioration of their central core, most cities are experiencing a decline in the property tax base on which their lower level of State aid is presumably justified.

All these factors, taken together, make up the financial aspect of the crisis in education that now confronts the cities.

I would be the last to argue that the total job of appropriately helping the schools can be accomplished without increased Federal support. There must be a growing contribution from the national government, but two additional developments are just as necessary:

1. States and localities must add to their efforts, not diminish them or allow them to level off.

2. There must be a total reeximination of the way State funds are distributed to the cities.

Conceivably a State could take the position that the disparities among school district expenditures on education are normal and acceptable aspects of local control, proving that well-educated, well-to-do parents care about their children's education and are willing to pay for it. A State could on one hand view the excellence of education in its suburbs, and on the other hand, the failure of education in the cities, and conclude that the difference is just another expression of the proposition that: "Them as has, gets, and every man takes care of his own." And further, a State could conclude that there is no point in riling up the electorate for more taxes when perhaps the Federal government could be persuaded to fill the gap.

Such a State would also have to concede that it was surrendering its responsibility. It would have to confess that it was writing its own epitaph, that it was willing to fail some of its citizens because it feared to demand of other citizens the help that poverty schools need. Finally it would have to face the reality of the need in our cities--a reality forcefully stated by Superintendent Paul Briggs of Cleveland in the following passage from his testimony before the Commission on Civil Disorders:

> But what about the child of the ghetto? It is he whom we must save for we cannot afford to lose this generation of young Americans.
>
> If this child of despair is a young adult, there is a better than 50 percent chance that he is a high school dropout. He is not only unemployed, but unemployable, without a salable skill. Neither of his parents went beyond the eighth grade. Preschool or nursery school was out of the question when he was four, and when he was five he was placed on a kindergarten waiting list. This list lasted 20 years

in Cleveland. At six he entered school; but could only attend for half a day because of the big enrollments. He went on relay classes in his school. During his six years in elementary school, he attended four different schools because the family moved often, seeking more adequate housing for the six children. When he got to high school he wanted vocational training, but none was available.

The family was on relief and he couldn't afford a good lunch at noon because Cleveland schools at that time were not participating in the Federal hot lunch program and the average cost of lunches amounted to 70 cents.

Of his few friends who were graduated from high school none had found jobs and they couldn't afford to go to college.

Here he is now, discouraged and without hope--economically incompetent at a time in life when, traditionally, young Americans have entered the economic mainstream as job holders.

A younger brother, age 9, is now in the fourth grade. He attends a new school, opened in 1964. Though he lives one mile from Lake Erie, he has never seen it. He has never taken a bus ride, except when his class at school went on a field trip. The family still does not subscribe to a daily newspaper. The television set is broken and there is no money to have it repaired. His mother has never taken him downtown shopping.

He has never been in the office of a dentist and has seen a physician only at the local clinic when he was injured playing in an abandoned house in the neighborhood.

At home there are no books. His toys, if any, are second-hand. His shoes are too small and his sweat shirt, bought for 25 cents at a rummage sale, bears the insignia of a suburban school system.

Each morning he looks forward anxiously to the free milk he gets at school because there is no breakfast at home.

He can't study well at home because of the loud blare of rock-and-roll music from the bar up the street. There are nine bars in his rather compact neighborhood....

The screaming police siren is a very familiar sound to him for he hears it regularly in his neighborhood, where the crime rate is Cleveland's highest.

> These boys both have better than average intelligence but they are the victims of neglect and are lost in the maze of statistics. Their plight and that of thousands like them in America's ghettos can certainly be considered the most pressing unattended business on America's agenda.

As an alternative to permitting such a situation as this to persist in the name of "local control," I would hope that the States would accept their appropriate responsibility, along with the Federal government--that they would seek to restore that sense of State citizenship which does indeed seem to have declined in our time, that while seeking more Federal aid they would at the same time provide more State aid, that they would develop the capacity to take a leadership role in the problems of the city, and in the process revitalize State government.

Last month, a prominent Detroit attorney representing the Detroit Board of Education filed suit against the State of Michigan to void the formula by which the State allocates funds to local school districts. The purpose of the suit, according to a member of the Detroit Board, is "to compel Michigan to discharge its Constitutional obligation to provide equal educational opportunity for all children attending the public schools in this State." More specifically, the board wants the State legislature to allocate State education funds on a basis of need, rather than linking them to property values in the district served by the schools.

Should Detroit win its case, the victory could have an impact on education comparable in its significance to the Supreme Court's 1954 decision on desegregation. It would, in effect, require the State to meet the needs of all its public education--to provide equitable education for every child.

I would hope that such a confrontation would not occur, in Detroit or anywhere else--that men of good will would achieve a constructive solution to the problem not at the dictate of a court of law but at the dictate of their interest in the public welfare. The issue was admirably expressed by the Detroit attorney who filed the suit when a critic claimed that the case would lead to a massive rebellion among the well-to-do, causing them to reject any increases in school taxes, send their own children to private schools, and ruin the public school system. The attorney's name is George F. Bushnell. This is what he said in rejecting the idea of a rebellion among the affluent:

> Here I reach a point of personal political and philosophical conviction. I am absolutely convinced that the citizens of this State and this country are committed to the necessity of full educational opportunities, no matter where a child happens to live. I expect the public to resoundingly support such a decree. I'm certain this is a matter whose time has come.

Whether the suit wins or loses, I feel this country is in pretty good shape as long as it continues to produce men with Mr. Bushnell's deep concern for <u>all</u> the children of his State, and such a profound faith in his fellow citizens.

The States would do well to emulate that faith. Whatever the outcome of this particular suit, I hope the States will decide that equal educational opportunity is, as Mr. Bushnell states, a matter whose time has come, and a matter for which all three levels of government have responsibility.

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